

TAB 1

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

<hr style="border: 0.5px solid black;"/> In re:)	Chapter 11
)	
THE IT GROUP, INC., <i>et al</i> ,)	Case No. 02-10118 (MFW)
)	Jointly Administered
Debtors.)	
)	
<hr style="border: 0.5px solid black;"/>)	
IT LITIGATION TRUST,)	
)	
Plaintiff,)	Civ. A. No. 04-CV-1268 (KAJ)
)	
v.)	
)	
DANIEL A. D'ANIELLO, FRANCIS J. HARVEY,)	
JAMES C. MCGILL, RICHARD W. POGUE,)	
PHILLIP B. DOLAN, E. MARTIN GIBSON,)	
ROBERT F. PUGLIESE, CHARLES W.)	
SCHMIDT, JAMES DAVID WATKINS,)	
ANTHONY J. DeLUCA, HARRY J. SOOSE,)	
THE CARLYLE GROUP, THE CARLYLE)	
GROUP L.L.C., CARLYLE PARTNERS II, L.P.,)	
CARLYLE SBC PARTNERS II, L.P., CARLYLE)	
INTERNATIONAL PARTNERS II L.P.,)	
CARLYLE INTERNATIONAL PARTNERS III,)	
C/S INTERNATIONAL PARTNERS, CARLYLE)	
INVESTMENT GROUP, L.P., CARLYLE-IT)	
INTERNATIONAL PARTNERS, LP,)	
CARLYLE-IT INTERNATIONAL PARTNERS II,)	
L.P., CARLYLE-IT PARTNERS L.P.,)	
and T.C. GROUP, L.L.C.,)	
)	
Defendants.)	
<hr style="border: 0.5px solid black;"/>)	

DECLARATION OF RICHARD S. WAYNE

I, Richard S. Wayne, declare as follows:

1. I am an attorney duly licensed to practice before all of the courts of the State of Ohio, and have been admitted *pro hac vice* in the present action. I am a member of Strauss &

Troy, counsel for Plaintiff Litigation Trust in the above-entitled action. I make this declaration in support of the Memorandum in Opposition to Defendants Motion to Dismiss for Lack of Subject Matter Jurisdiction. I have personal knowledge of the matters stated herein and, if called upon, I could and would competently testify thereto.

2. Attached are true and correct copies of the following exhibits:

Exhibit 1: First Amended Joint Chapter 11 Plan for the IT Group, Inc. and its Affiliated Debtors Proposed by the Debtors and the Official Committee of Unsecured Creditors

Exhibit 2: Order Confirming the First Amended Joint Chapter 11 Plan for the IT Group, Inc. and its Affiliated Debtors Proposed by the Debtors and the Official Committee of Unsecured Creditors

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 18th day of April, 2005 at Cincinnati, Ohio.

s/Richard S. Wayne
Richard S. Wayne Attorney Bar No. 0022390

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